

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 10/051,307  
Filing Date ..... January 22, 2002  
Inventor ..... Ziyu Dai et al.  
Assignee ..... Battelle Memorial Institute  
Group Art Unit ..... 1638  
Examiner ..... Koroma, Barba M.  
Attorney's Docket No. .... 12571-E  
Customer No. .... 021567  
Title: Gene Promoters Isolated from Potato and Use Thereof

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR § 1.313(c)(3) AND  
DECLARATION OF ABANDONMENT UNDER 37 CFR § 1.181**

**RECEIVED**

JAN 09 2006

To: Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**OFFICE OF PETITIONS**

From: Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)  
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01/10/2006 CKHLOK 00000008 10051307  
01 FC:1464 130.00 OP

**PETITION**

Applicant hereby petitions for withdrawal of this application from issue pursuant  
to 37 C.F.R. § 1.313(c)(3).

**PATENT ISSUE FEE**

The issue fee for this case was paid on September 27, 2005. The date the patent is  
scheduled to issue is unknown.

### **REASON FOR WITHDRAWAL REQUEST**

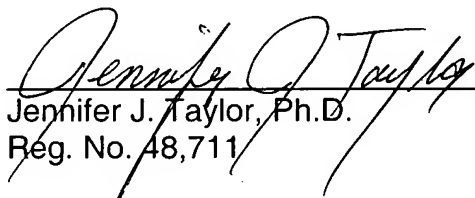
Applicant hereby petitions the Commissioner to withdraw this case from issue for express abandonment of the application. A declaration of express abandonment of the application is submitted herewith.

### **PETITION FEES**

A petition fee of \$130.00, as required under 37 C.F.R. § 1.17(h), is submitted herewith.

Respectfully submitted,

Dated: January 6, 2006

By:   
Jennifer J. Taylor, Ph.D.  
Reg. No. 48,711